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July 19, 2005

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: WT Docket No. 02-353 (Advanced Wireless Services) *Ex Parte* Communication

Dear Ms. Dortch:

On July 18, 2005, Mark Stachiw, Vice President, General Counsel and Secretary of MetroPCS Communications, Inc., accompanied by Carl Northrop and Ralph Everett of Paul, Hastings, Janofsky & Walker LLP, met with Commissioner Jonathan Adelstein and his Senior Legal Advisor, Barry Ohlson.

MetroPCS discussed the band plan for Advanced Wireless Services that it submitted in this Docket on June 29, 2005. A copy of the presentation is attached.

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being electronically filed with your office.

Respectfully Submitted,



Carl W. Northrop  
Counsel for MetroPCS Communications, Inc.

Attachment

cc: The Honorable Jonathan Adelstein, Commissioner  
Barry Ohlson

**METROPCS COMMUNICATIONS, INC.  
PROPOSED BAND PLAN FOR  
ADVANCED WIRELESS SERVICES**

WT DOCKET NO. 02-353

**METROPCS COMMUNICATIONS, INC.**  
8144 WALNUT HILL LANE, SUITE 800  
DALLAS, TEXAS 75231

## BACKGROUND

### **METROPCS IS ONE OF THE FASTEST GROWING BROADBAND WIRELESS SERVICE PROVIDERS IN THE U.S.**

- CURRENT OPERATIONS IN SAN FRANCISCO, MIAMI, ATLANTA AND SACRAMENTO WITH OVER 1.5 MILLION SUBSCRIBERS
- RECENT ACQUISITIONS OF PCS SPECTRUM IN DETROIT, DALLAS, TAMPA AND SARASOTA (AMONG OTHERS)
- GROWING AT ONE OF THE FASTEST RATES IN THE INDUSTRY
  - METROPCS BECAME THE SECOND LARGEST CARRIER IN SOUTH FLORIDA WITHIN 3 YEARS OF INITIATING SERVICE
- SUBSTANTIAL INTEREST IN ROYAL STREET COMMUNICATIONS
  - HIGHEST GROSS BIDS IN AUCTION NO. 58 (\$387+ MILLION)
  - HIGH BIDDER ON LICENSES IN LOS ANGELES, ORLANDO AND JACKSONVILLE (AMONG OTHERS)
- METROPCS HAS A DEFINITE INTEREST IN CONTINUING TO EXPAND ITS SERVICES UTILIZING AWS SPECTRUM

**METROPCS HAS AN INNOVATIVE SERVICE PLAN THAT IS ENJOYING UNPARALLELED MARKET ACCEPTANCE**

- **UNLIMITED LOCAL AND LONG DISTANCE CALLING ON A PREPAID, NO CONTRACT, FLAT FEE BASIS**
- **DATA SERVICES AND OTHER SERVICES OFFERED AN ON *ALA CARTE* BASIS**
- **METROPCS IS A MEANINGFUL SUBSTITUTE FOR LANDLINE SERVICE**
  - **APPROXIMATELY 40% OF METROPCS CUSTOMERS USE METROPCS SERVICE AS THEIR SOLE OR PRIMARY TELECOMMUNICATIONS SERVICE**
- **METROPCS IS EXPANDING THE WIRELESS MARKET EFFECTIVELY**
  - **APPROXIMATELY 40% OF METROPCS CUSTOMERS ARE NEW TO WIRELESS**
- **OTHER CARRIERS ARE GAINING CUSTOMER ACCEPTANCE WITH SIMILAR BUSINESS MODELS**

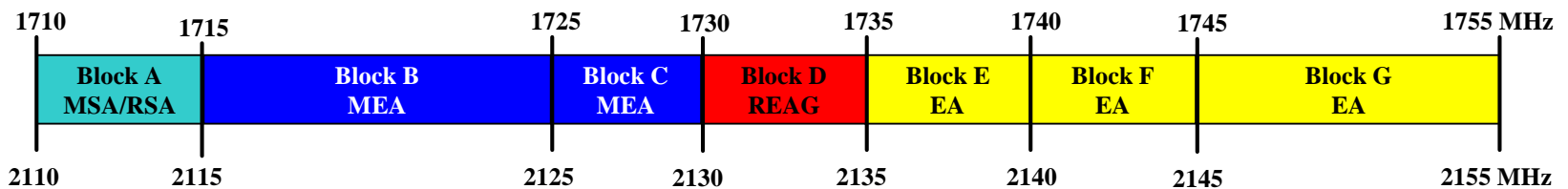
**CONCERNS ABOUT THE PREVIOUSLY-PROPOSED AWS BAND PLANS**

- **THE PREVIOUSLY ADOPTED AND PROPOSED PLANS ARE MUCH TOO HEAVILY WEIGHTED TOWARD LARGE CHANNEL BLOCKS (30 MHZ OR 20 MHZ) AND LARGE GEOGRAPHIC AREAS (REGIONAL ECONOMIC AREA GROUPINGS OR REAGS OF WHICH THERE ARE ONLY 12 IN THE US)**
  - **METROPCS HAS BUILT ITS BUSINESS ON A MUCH MORE LOCALIZED BASIS UTILIZING SMALLER BLOCKS OF SPECTRUM**
  - **LARGE BLOCKS OF SPECTRUM OR MARKET AREAS LIMIT OPPORTUNITIES FOR INCUMBENTS AND NEW ENTRANTS**
- **PARTITIONING AND DISAGGREGATION HAS NOT BEEN AN EFFECTIVE LICENSING MECHANISM**
  - **IT IS EASIER TO AGGREGATE SPECTRUM AND MARKET AREAS IN THE AUCTION THAN TO DISAGGREGATE OR PARTITION (PARTICULARLY IN LIGHT OF THE ANTI-COLLUSION RULE)**
- **THE PUBLIC INTEREST IS SERVED WHEN THERE ARE NUMEROUS LICENSING ALTERNATIVES FOR APPLICANTS**

**THE METROPCS-PROPOSED BAND PLAN:**

<b><u>Block</u></b>	<b><u>MHz</u></b>	<b><u>Pairings</u></b>	<b><u>Area</u></b>	<b><u>Licenses</u></b>
A	10	1710-1715 paired with 2110-2115	MSA/RSA	734
B	20	1715-1725 paired with 2115-2125	MEA	52
C	10	1725-1730 paired with 2125-2130	MEA	52
D	10	1730-1735 paired with 2130-2135	REAG	12
E	10	1735-1740 paired with 2135-2140	EA	176
F	10	1740-1745 paired with 2140-2145	EA	176
G	20	1745-1755 paired with 2145-2155	EA	176

Mobile Transmit



Base Transmit

**ADVANTAGES OF THE METROPCS BAND PLAN**

**THE METROPCS BAND PLAN IMPROVES UPON THE COMMISSION ADOPTED PLAN AND OTHER PROPOSED PLANS:**

- **A GREATER VARIETY OF GEOGRAPHIC AREAS AND MORE 10 MHZ CHANNEL BLOCKS WILL ACCOMMODATE DIVERSE BUSINESS PLANS AND SERVICES**
  - **MAJOR ECONOMIC AREAS (MEAS), THE ROUGH EQUIVALENT OF MTAS, ARE WELL SUITED TO THE EXPANSION NEEDS OF MANY CARRIERS WHO HAVE BUILT MTA AND BTA-BASED BUSINESSES**
  - **DIVERSE LICENSE AREAS AND SPECTRUM BLOCKS CREATE MORE OPTIONS FOR BOTH INCUMBENTS AND NEW ENTRANTS**
  - **FEWER INDEPENDENT CARRIERS WILL GET FORCED OUT OF THE AUCTION**

**ADVANTAGES OF THE METROPCS BAND PLAN (CONTINUED)**

- **MORE SPECTRUM BLOCKS WILL BE OFFERED IN THE AUCTION**
  - **THE METROPCS PLAN OFFERS SEVEN CHANNEL BLOCKS; THE COMMISSION PLAN PROPOSED FIVE AND THE T-MOBILE/RTG AND VERIZON WIRELESS PLANS PROPOSED SIX**
  - **SMALLER BLOCKS ALLOW APPLICANTS TO BUILD THEIR SPECTRUM HOLDINGS BASED ON THEIR NEEDS NOT UPON A GOVERNMENT-ORDAINED MARKET STRUCTURE**
- **MEAS ARE A UNIQUE FEATURE OF THE METROPCS PLAN**
  - **THE 52 MEAS PROVIDE AN ATTRACTIVE MIDDLE GROUND BETWEEN SMALLER EAS (176 IN THE US) AND LARGER REAS (12 IN THE US)**
    - **MEAS ARE LARGE ENOUGH TO ALLOW FOR A WHOLE METROPOLITAN AREA AND SURROUNDING AREA TO BE SERVED, BUT NOT SO LARGE AS TO INCLUDE MULTIPLE METROPOLITAN AREAS**
  - **PRIOR ALLOCATIONS HIGHLIGHT THE BENEFIT OF MEAS (E.G. SMR, WCS AND 900 MHZ PAGING)**



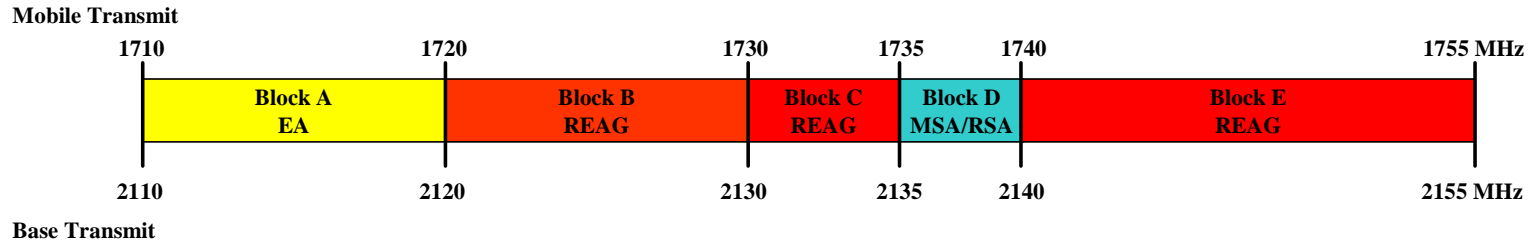
**ADVANTAGES OF THE METROPCS BAND PLAN (CONTINUED)**

- **THE METROPCS BAND PLAN FACILITATES EFFICIENT AGGREGATION OF SPECTRUM AND TERRITORY IN THE AUCTION PROCESS**
  - **THE MSA/RSA BLOCK IS MOVED OUT OF THE MIDDLE OF THE BAND (AS RECOMMENDED BY VERIZON WIRELESS)**
  - **THE REAG BLOCK BORDERS BOTH AN MEA BLOCK AND AN EA BLOCK TO GIVE BIDDERS MAXIMUM FLEXIBILITY TO ASSEMBLE SPECTRUM WITH A CHOICE OF BUILDING BLOCKS**
  - **THE SPECTRUM BLOCKS ARE GROUPED TOGETHER BASED ON GEOGRAPHIC LICENSING AREAS TO FACILITATE AGGREGATION OF SPECTRUM IN THE SAME MARKET**
  - **SPECTRUM IS WEIGHED TOWARDS MINIMUM BLOCKS TO ALLOW FOR GREATER FLEXIBILITY IN AGGREGATING SPECTRUM**
- **THE METROPCS PLAN CONTINUES THE GRADUAL MOVE AWAY FROM MSA/RSA-BASED ALLOCATION PLANS WHICH DIVIDE THE COUNTRY UP INTO TOO MANY SMALL AREAS (734 IN THE US) MANY OF WHICH GO UNASSIGNED**

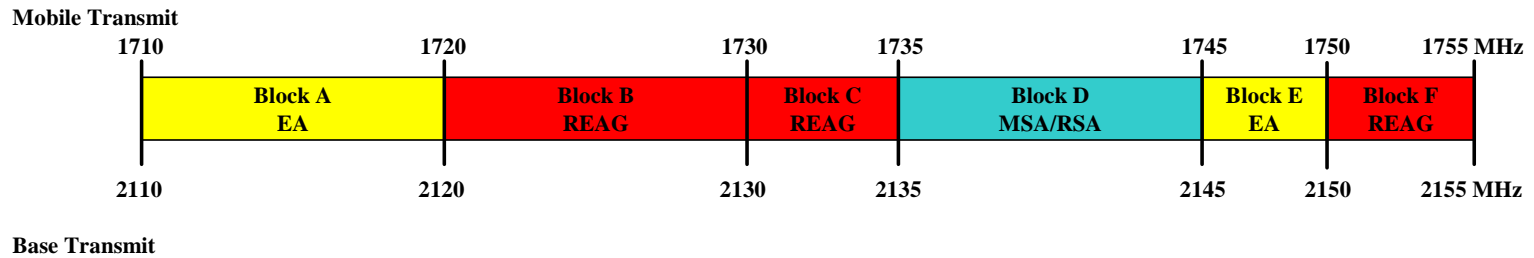
## **CONCLUSION**

- **THE METROPCS BAND PLAN WILL ENCOURAGE THE ACTIVE PARTICIPATION IN THE AWS AUCTION OF CARRIERS OF ALL SIZES WHO HAVE SPECTRUM NEEDS**
- **THE VARIETY OF BANDWIDTHS AND MARKET AREAS IN THE METROPCS PLAN WILL ACCOMMODATE DIVERSE BUSINESS MODELS AND SERVICE PLANS**
- **THE RESULT WILL BE A ROBUST AUCTION WHICH HOLDS THE GREATEST PROMISE OF RESULTING IN SPECTRUM BEING PUT TO ITS HIGHEST AND BEST USE**

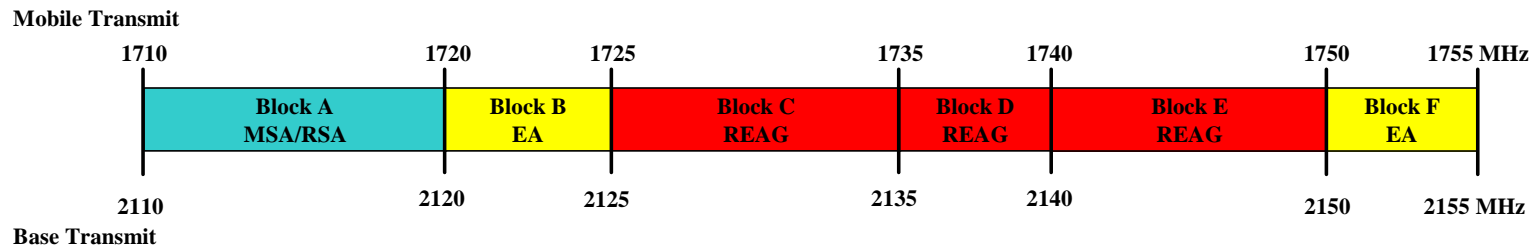
## FCC Original Band Plan



## T-Mobile/RTG Band Plan



## Verizon Wireless Band Plan



## MetroPCS Band Plan

